

Remarks

Claims 13 to 24 are cancelled and claim 25 is amended. Claims 25 to 36 are pending in this application of which only claim 25 is in independent form.

On pages 2 and 3, the Office rejected claims 25 to 36 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement.

In particular, the Office noted that claim 25 as amended encompasses two separate entities, namely the "at least one fuel cell" and a separate "consumers" entity. The Office expressed the view that the "consumers" as recited in claims 25 to 36 are in fact the fluid circuits of the fuel cell. The Office referred to page 8, lines 16 to 19, and the remainder of the specification discussing FIGS. 2 and 3.

The Office expressed the belief that the "consumers" are in fact a portion of, if not all of, the "fuel cell."

Finally, the Office encouraged applicants to amend the claims to incorporate the consumers and the fuel cell.

Applicants have reviewed the specification and respectfully submit that the "consumers" are characterized in the specification as part of a "fuel cell system." However, applicants have amended claim 25 to state that the consumers comprise "at least one fuel cell" in accordance with, e.g., original claim 1. Without admitting that the written description rejection was proper, applicants believe that claim 25, as now amended, is in better alignment with the disclosure as filed.

In the action, claims 25 to 36 were deemed to contain allowable subject matter if rewritten or amended to overcome the rejection under 35 USC 112. The amendment of claim 25 should now satisfy the requirements of 35 USC 112 and be allowable. Claims 26 to 36 are all dependent from claim 25 so that these claims too should now be allowable.

The application should now be in condition for allowance.

Respectfully submitted,



Walter Ottesen
Reg. No. 25,544

Walter Ottesen
Patent Attorney
P.O. Box 4026
Gaithersburg, Maryland 20885-4026

Phone: (301) 869-8950

Date: November 17, 2005